

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

JOSEPH C.,¹

Case No. 6:22-cv-01816-MTK

Plaintiff,

ORDER

v.

COMMISSIONER, Social Security
Administration,

Defendant.

KASUBHAI, United States District Judge:

Plaintiff Joseph C. brought this action seeking review of the Commissioner's final decision denying his application for Supplemental Security Income under the Social Security Act. The Court reversed the Commissioner's decision and remanded for immediate payment of benefits. ECF No. 38.

Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Defendant takes no position with respect to the request. ECF No. 45. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court has reviewed the record in this case and finds that the requested fees are reasonable.

¹ In the interest of privacy, the Court uses only the first name and last name initial of non-government parties whose identification could affect Plaintiff's privacy.

Plaintiff's Motion for Attorney Fees Pursuant to 42 U.S.C. § 406(b) is therefore GRANTED. Attorney fees in the amount of \$8,459.05 are hereby awarded to Plaintiff's Counsel, to be paid out of Plaintiff's past-due benefits in accordance with agency policy. It is further ordered that this fee shall be paid directly to Plaintiff's Counsel by check made payable to Bruce Brewer and sent to him at PO Box 421, West Linn, OR 97068. Upon payment of the § 406(b) fees, Plaintiff's counsel will refund any EAJA fees received by counsel to Plaintiff. Any amount withheld after all administrative and court attorney's fees are paid should be released to the claimant.

IT IS SO ORDERED.

DATED this 24th day of March 2025.

s/ Mustafa T. Kasubhai
MUSTAFA T. KASUBHAI (He / Him)
United States District Judge